

RIO MALO CONSTRUCTION

VABCA-7310

CONTRACT NO. V261C-1039

VA MEDICAL CENTER
LIVERMORE, CALIFORNIA

Gerald J. Brentnall, Esq., Loomis, California, for the Appellant.

Anna Madden, Esq., Trial Attorney, *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and, *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER DISMISSING APPEAL

1. The Parties have filed a STIPULATION OF SETTLEMENT in this appeal and request that this appeal be dismissed.
2. Accordingly, the appeal of Rio Malo Construction, VABCA-7310 under Contract No. V261C-1039 is hereby **DISMISSED WITH PREJUDICE**, subject to reinstatement if the settlement is not effectuated in accordance with the terms of the STIPULATION OF SETTLEMENT.

IT IS SO ORDERED

DATE: **December 16, 2004**

RICHARD W. KREMPASKY
Administrative Judge